

AMENDED IN SENATE APRIL 21, 2010

**SENATE BILL**

**No. 1039**

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**Introduced by Senator Ducheny**

February 12, 2010

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*An act to add Section 19.5 to the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), relating to harbors and ports.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1039, as amended, Ducheny. Harbors and ports: San Diego Unified Port District.

Existing law, the San Diego Unified Port District Act, provides for the San Diego Unified Port District. Under the act, the Board of Commissioners of the San Diego Unified Port District has the sole authority to adopt and modify a master plan for harbor and port improvement and for the use of the tidelands and submerged lands under the San Diego Unified Port District's jurisdiction.

~~This bill would authorize the San Diego Unified Port District to expend up to an unspecified percent of revenues derived from maritime industrial facilities owned by the district to provide incentives to cities in which the facilities are located for projects to maintain the district's working waterfront. The bill would restrict those projects to an area within an unspecified number of yards of the tidelands and submerged lands boundary of the district board, in implementing the master plan, to consider the inclusion of cooperative infrastructure and capital projects that directly address maritime impacts in the cities that host maritime industrial activities and that are consistent with the public trust doctrine.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. It is the intent of the Legislature that the San  
2     Diego Unified Port District promote continued support for its  
3     working waterfront by being able to use revenues derived from  
4     maritime industrial facilities owned by the district activities for  
5     cooperative *infrastructure and capital* projects in the cities that  
6     host those facilities.

7     ~~SEC. 2. The San Diego Unified Port District may enter into~~  
8     ~~cooperative agreements to expend up to \_\_\_\_\_ percent of~~  
9     ~~revenues derived from maritime industrial facilities owned by the~~  
10    ~~district to provide incentives to cities in which the facilities are~~  
11    ~~located for projects to maintain the district's working waterfront.~~  
12    ~~The revenue may be expended on projects within \_\_\_\_\_ yards~~  
13    ~~of the tidelands and submerged lands boundary of the district.~~

14    SEC. 2. *Section 19.5 is added to the San Diego Unified Port*  
15    *District Act (Chapter 67 of the Statutes of 1962, First*  
16    *Extraordinary Session), to read:*

17    SEC. 19.5. *In implementing the master plan adopted pursuant*  
18    *to Section 19, the board may consider the inclusion of cooperative*  
19    *infrastructure and capital projects that directly address maritime*  
20    *impacts in the cities that host maritime industrial activities and*  
21    *that are consistent with the public trust doctrine.*